PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fallaux et al.

Serial No.: 10/618,526

Filed: July 11, 2003

For: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT ADENOVIRUS TO BE USED IN GENE THERAPY

Confirmation No.: 5055

Examiner: S. Priebe, Ph.D.

Group Art Unit: 1633

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
37 C.F.R. § 1.97(d)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability and pursuant to 37 C.F.R. §§ 1.56 & 1.97(d), it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of any cited foreign patents, publications, or pending unpublished U.S. applications are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

Foreign Patent Documents

Document No.	Publication Date	Patentee
WO 95/11984	05-04-1995	Canji, Inc.

Other Documents

European Opponent's Statement on Grounds of Appeal dated September 14, 2007.

Figure 2 by Opponent 01 (D52).

VAN DEN ELSEN, et al., The relationship between region E1a and E1b of human adenoviruses in cell transformation, Gene, 18(2):175-85 (1982) (D53).

KAWARABAYASI et al., Structure of viral DNA in a rat cell line transformed by the cloned EcoRi-C fragment of adenovirus 12, Nucleic Acids Research, 1985, pp. 6591-604, Vol. 13, No. 18 (D54).

KIMURA et al., Nucleotide sequence of the transforming early region E1b of adenovirus type 12 DNA: structure and gene organization, and comparison with those of adenovirus type 5 DNA, Nucleic Acids Research, 9(23):6571-89 (1981), (D55).

Pursuant to Rule 97(d) and (e), applicants certify:

(1) That each item of information contained in the information disclosure statement was first cited in any communication (*i.e.*, Opponent's Statement on Grounds of Appeal dated September 14, 2007) from a foreign patent office (*i.e.*, the European Patent Office) in a counterpart foreign application (*i.e.*, EP 96 917 735.1) not more than three months prior to the filing of this supplemental information disclosure statement.

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed. Applicants' representatives' deposit account may be charged for any delinquency.

Respectfully submitted,

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Date: October 23, 2007
ACT/bv
Enclosures: Form PTO/SB/08
Cited Non-U.S. Patent Documents
Check for fee pursuant to Rule 17(p)